

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CONNIE A. SCHNEIDER,)
Plaintiff,) CASE NO. C11-2172-JLR-MAT
v.)
MICHAEL ASTRUE,) REPORT AND RECOMMENDATION
Commissioner of Social Security,)
Defendant.)

Plaintiff brought this action to seek judicial review of the denial of her application for Supplemental Security Income (SSI) by the Commissioner of the Social Security Administration. The parties have now stipulated that this case should be remanded pursuant to sentence six of 42 U.S.C. § 405(g) because significant portions of the recorded hearing held on June 4, 2010 are inaudible. (Dkt. 13.)

Based on the stipulation of the parties, the Court recommends that United States District Judge James L. Robart immediately approve this Report and Recommendation and order this case REVERSED and REMANDED for a *de novo* hearing. As a sentence six remand, the

01 Court will retain jurisdiction over the action pending further administrative development of the
02 record. *See Melkonyan v. Sullivan*, 501 U.S. 89, 98-102 (1991). If the outcome of a *de novo*
03 hearing is unfavorable to plaintiff, plaintiff may seek judicial review by reinstating this case,
04 rather than filing a new complaint. A proposed order accompanies this Report and
05 Recommendation.

06 DATED this 11th day of May, 2012.

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Mary Alice Theiler
United States Magistrate Judge